S.B.Civil Revision Petition No.1253/2003

Dwarka Lal Mathur and others.
vs.
Nav Shiksha Samaj, Jodhpur and others.

Date : 1.8.2006

HON'BLE MR. PRAKASH TATIA, J.

Mr. PK Lohra, for the petitioners.
Mr. MC Bhoot, for the respondents.

- - - - -

Heard learned counsel for the parties.

The plaintiff filed suit for declaration and injunction in relation to an election dispute of the year 2002.

Learned counsel for the petitioners submits that the term of election which took place in the year 2002 is already over and now new elections have already taken place. Now office bearers are working on the post because of new elections, therefore, the present suit itself has become infructuous.

Though the present revision petition is against the order of the trial court dated 6.9.2003 by which the trial court rejected the petitioners' application filed under Order 7 Rule 11 CPC but in view of the subsequent events mentioned above, the entire suit has become infructuous.

In view of the above, the suit of the plaintiff is dismissed as infructuous.

Consequently, this revision petition has become infructuous and hence, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya